

Appl. No. 09/904,019
Atty Docket No. 8354M
Response dated April 25, 2005
Reply to Office Action dated December 23, 2004

REMARKS

Claims 24-36, 43 and 44 are now in the case. Claims 1-23, 37-42 and 45-49 have been cancelled.

Response to the Office Action

The Rejection under 35 U.S.C. 102(b) over Arnell et al.

Claims 1-8, 10-17, 20-31, 33, 35-36 and 42-49 have been rejected under 35 U.S.C. 102(b), as being anticipated by WO 00/12143 to Arnell et al. (hereinafter "Arnell"). With this Amendment, Claims 24-31, 33, 35-36, 43 and 44 remain at issue. Applicants respectfully traverse this rejection. Applicants' Claim 24 requires that the "multiple scent containing component is movable relative to said shell." Arnell does not teach or suggest moving a scent containing component relative to the shell. Applicants' Claim 25 requires "a shell comprised of at least two pieces which are joined together by a hinge." Arnell does not teach or suggest a shell with a hinge. Applicants' Claims 26 and 30 require "a disk rotatably mounted inside said shell." Arnell does not teach or suggest a disk that is rotatably mounted inside a shell. Applicants' Claim 31 requires the shell have "at least one opening in its lower surface for inserting an element of a scent diffusing device into said shell." Arnell does not teach or suggest such an opening for inserting an element of a scent diffusing device into the shell. Applicants' Claim 43 requires the shell can be opened to remove the multiple scent containing component and replace it with another. Arnell does not teach or suggest such an arrangement. Therefore, the reference cannot anticipate Applicants' claims 24-31, 33, 35-36, 43 and 44, as indicated in the Office Action.

The Rejection under 35 U.S.C. 102(b) over Chiao

Claims 1-8, 10-17, 20-24, 26-27 and 42-49 have been rejected under 35 U.S.C. 102(e), as being anticipated by U.S. Patent 6,602,475 B1 to Chiao (hereinafter "Chiao"). With this Amendment, Claims 24, 26-27, 43 and 44 remain at issue. Applicants respectfully traverse this rejection. Applicants' Claim 24 requires that the "multiple scent containing component is movable relative to said shell." Chiao does not teach or suggest moving a scent containing component relative to the shell. Applicants' Claim 26 requires "a disk rotatably

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mounted inside said shell." Chaio does not teach or suggest a disk that is rotatably mounted inside a shell. Applicants' Claim 43 requires the shell can be opened to remove the multiple scent containing component and replace it with another. Chaio does not teach or suggest such an arrangement. Therefore, the reference cannot anticipate Applicants' claims 24, 26-27, 43 and 44, as indicated in the Office Action.

The Rejection under 35 U.S.C. 103(a) over Arnell in view of Pendergrass, Jr.

Claim 9 has been rejected under 35 U.S.C. 103(a) as being unpatentable over Arnell in view of U.S. Patent 5,565,148 issued to Pendergrass, Jr. (hereinafter "Pendergrass"). Since claim 9 has been cancelled, Applicants submit that the rejection is moot.

The Rejection under 35 U.S.C. 103 over Arnell in view of the Osmooze ad.

Claims 18-19 and 37-41 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Arnell in view of the Osmooze ad. Since claims 18-19 and 37-41 have been cancelled, Applicants submit that the rejection is moot.

Conclusion

It is submitted that Claims 24-36, 43 and 44 are in condition for allowance. Early and favorable action on all claims is therefore requested.

If the next action is other than to allow the claims, the favor of a telephonic interview is requested with the undersigned representative.

Respectfully submitted,
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